

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing  
5 Sections 1-130 and 10-245 as follows:

6 (35 ILCS 200/1-130)

7 Sec. 1-130. Property; real property; real estate; land;  
8 tract; lot. The land itself, with all things contained therein,  
9 and also all buildings, structures and improvements, and other  
10 permanent fixtures thereon, including all oil, gas, coal and  
11 other minerals in the land and the right to remove oil, gas and  
12 other minerals, excluding coal, from the land, and all rights  
13 and privileges belonging or pertaining thereto, except where  
14 otherwise specified by this Code. Included therein is any  
15 vehicle or similar portable structure used or so constructed as  
16 to permit its use as a dwelling place, if the structure is  
17 resting in whole on a permanent foundation. Not included  
18 therein are low-income housing tax credits authorized by  
19 Section 42 of the Internal Revenue Code, 26 U.S.C. 42 or  
20 payments or expenses for services in supportive living  
21 facilities established under Section 5-5.01a of the Illinois  
22 Public Aid Code.

23 (Source: P.A. 91-502, eff. 8-13-99.)

24 (35 ILCS 200/10-245)

25 Sec. 10-245. Method of valuation of low-income housing  
26 projects. Notwithstanding Section 1-55 and except in counties  
27 with a population of more than 200,000 that classify property  
28 for the purposes of taxation, to determine 33 and one-third  
29 percent of the fair cash value of any low-income housing  
30 project developed under the Section 515 program or that  
31 qualifies for the low-income housing tax credit under Section

1 42 of the Internal Revenue Code, in assessing the project,  
2 local assessment officers must consider the actual or probable  
3 net operating income attributable to the property project,  
4 using a vacancy rate of not more than 5%, capitalized at normal  
5 market rates. The interest rate to be used in developing the  
6 normal market value capitalization rate shall be one that  
7 reflects the prevailing cost of cash for other types of  
8 commercial real estate in the geographic market in which the  
9 low-income housing project is located.

10 (Source: P.A. 93-533, eff. 1-1-04; 93-755, eff. 7-16-04.)